SIXTH JUDICIAL DISTRICT

OMVWI SENTENCING GUIDELINES

Citation Issued On or After

July 1, 2010

Modified 2nd effort

Sixth Judicial District Office 3317 Business Park Drive, Suite A Stevens Point, WI 54481-5210 (715) 345-5295

John R. Storck, Chief Judge

SENTENCING GUIDELINES - STANDARD NO MINOR PASSENGER

Citations Issued On or After July 1, 2010

BAC Level	.08 to .099 .10 to .149 .15 t		.15 to	.169	.17 to .199		.20 to	.249	.25 and	above		
	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated
Penalty	691.50	723.00	691.50	754.50	804.50	867.50	867.50	930.50	867.50	930.50	867.50	930.50
Forfeiture	150.00	175.00	150.00	200.00	200.00	250.00	250.00	300.00	250.00	300.00	250.00	300.00
DIS	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00
Costs	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00
CSS	68.00	68.00	68.00	68.00	68.00	68.00	68.00	68.00	68.00	68.00	68.00	68.00
(26% of Forf.) PA	39.00	45.50	39.00	52.00	52.00	65.00	65.00	78.00	65.00	78.00	65.00	78.00
JA	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00
JISF	21.50	21.50	21.50	21.50	21.50	21.50	21.50	21.50	21.50	21.50	21.50	21.50
CL/DL	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00
Ign. Int. Surch.					50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00
Revocation	6 mos	6 mos	6 mos	7 mos	7 mos	8 mos	8 mos	9 mos	9 mos.	9 mos	9 mos.	9 mos

PENALTY RANGE

FORFEITURE: \$150 minimum to \$300 maximum

REVOCATION/DISQUALIFICATION: 6-9 months (no waiting period for occupational license).

IGNITION INTERLOCK: Mandatory interlock for all alcohol concentration of .15 or more. License restricted to interlocked vehicles, plus all registered and titled vehicles (unless excepted) for period of one year to 18 months beginning when license issued. \$50.00 interlock surcharge

- 1. Court may order the **safety plan** to include effect on any victim or victim's family.
- 2. Court may order community service work that demonstrates adverse effects of abuse (and a reasonable fee).
- 3. Court may order a visit to a site that demonstrates adverse effects of abuse (and a reasonable fee).
- 4. **Court may,** after a finding of inability to pay, reduce the costs or forfeiture and order the person to pay the difference toward the cost of the alcohol assessment and driver safety plan.

BAC Level	.08 to .099 .10 to .149		o .149	.15 t	o .169	.17 t	o .199	.20 to	o .249	.25	plus	
	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated
Jail	5 Days	10 Days	10 Days	23 Days	17 Days	28 Days	22 Days	37 Days	28 Days	50 Days	38 Days	60 Days
Fine + Costs	1,109.00	1,172.00	1,172.00	1,298.00	1,235.00	1,298.00	1,235.00	1,298.00	1,298.00	1,424.00	1,424.00	1,550.00
Fine	350.00	400.00	400.00	500.00	450.00	500.00	450.00	500.00	500.00	600.00	600.00	700.00
DIS	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00
Costs	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00
VWS-A& B	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00
Ign. Int. Surch.	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00
(26% of Fine) PA	91.00	104.00	104.00	130.00	117.00	130.00	117.00	130.00	130.00	156.00	156.00	182.00
JA	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00
CL/DL	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00
Revocation	12 mos	13 mos	13 mos	14 mos	14 mos	15 mos	15 mos	16 mos	16 mos	17 mos	17 mos	18 mos

FINE AMOUNT: \$350 minimum to \$1100 maximum

JAIL: Not less than 5 days nor more than 6 months, or not less than 5 days nor more than 7 days if county opts for reduced jail. (not less than a 48 consecutive hour period in county jail)

JAIL PROBATION AND TREATMENT OPTION: 25 days less jail, but not below 5 days if successful completion of probation and AODA treatment. 6 mos. - 2 yrs probation.

REVOCATION/DISQUALIFICATION: 12 - 18 months. 45 day waiting period for Occupational License

IGNITION INTERLOCK DEVICE

The Court shall order that the person's operating privileges for "Class D" vehicles be restricted to "Class D" vehicles that are equiped with an ignition interlock device and all vehicles owned shall have an ignition interlock installed for a period of not less than one year nor more than maximum period of revocation permitted under law. Wis. Stat. s. 343.301(1)(a)1.

ALCOHOL AND DRUG ASSESSMENT:

The Court shall order that the defendant submit to and comply with an assessment for the use of alcohol and drugs.

- 1. Court may order the **safety plan** to include effect on any victim or victim's family.
- 2. Court may order community service work that demonstrates adverse effects of abuse (and a reasonable fee).
- 3. Court may order a visit to a site that demonstrates adverse effects of abuse (and a reasonable fee).
- 4. **Court shall**, after a finding that a person does not have the ability to pay a fine imposed under s. 346.65(2)(b) to (g), **require the defendant to perform community service work in lieu of paying the fine imposed** or if the amount of the fine was reduced in lieu of paying the remaining amount of the fine.
- 5. Court may, after a finding of inability to pay, reduce the costs or fine and order the person to pay the difference toward the cost of the alcohol assessment and driver safety plan.
- 6. **Huber law work release privileges** shall be denied if defendant does not comply with an alcohol assessment and a driver safety plan pursuant to Wis. Stats. 303.08(10m), and shall be denied unless within two weeks of the order, the person submits proof to the sheriff that an ignition interlock device has been install in each motor vehicle to which the order applies..

BAC Level	.08 t	o .099	.10 to	o .149	.15 t	o .169	.17 t	o .199	.20 to	o .249	.25	plus
	Mitigated	Aggravated										
Jail	45 Days	50 Days	50 Days	75 Days	60 Days	90 Days	75 Days	105 Days	90 Days	135 Days	120 Days	220 Days
Fine + Costs	1,424.00	1,613.00	1,487.00	1,739.00	1,550.00	1,928.00	2,182.00	2,372.50	2,944.00	3,198.00	3,706.00	4,087.00
Fine	600.00	750.00	650.00	850.00	700.00	1,000.00	1,200.00	1,350.00	1,800.00	2,000.00	2,400.00	2,700.00
DIS	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00
Costs	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00
VWS-A & B	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00
Ign. Int. Surch.	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00
(26% of Fine) PA	156.00	195.00	169.00	221.00	182.00	260.00	312.00	351.00	468.00	520.00	624.00	702.00
JA	10.00	10.00	10.00	10.00	10.00	10.00	12.00	13.50	18.00	20.00	24.00	27.00
CL/DL	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00
Revocation	24 mos	27 mos	27 mos	28 mos	27 mos	30 mos	30 mos	30 mos	30 mos	33 mos	33 mos	36 mos

FINE AMOUNT: \$600 minimum to \$2000 maximum, EXCEPTION: \$1200 minimum and \$4000 maximum if BAC is .17 to .199; \$1800 minimum and \$6000 maximum if BAC is .20 to .249; and \$2400 minimum and \$8000 maximum if BAC is .25 or above.

JAIL: 45 days minimum and 12 months maximum. 14 days minimum if county opts for reduced jail. (not less than a 48 consecutive hour period in county jail)

JAIL PROBATION AND TREATMENT OPTION. 45 days less, but not less than minimum, if successful completion of probation and AODA treatment. 6 mos. - 2 yrs probation.

REVOCATION/DISQUALIFICATION: 24 - 36 months. 45 day waiting period for Occupational License

IGNITION INTERLOCK DEVICE: The Court shall order that the person's operating privileges for "Class D" vehicles be restricted to "Class D" vehicles that are equipped with an ignition interlock device, and shall order that each motor vehicle for which the person's name appears on the vehicle's certificate of title or registration be equipped with an ignition interlock device for a period of not less than one year nor more than maximum period of revocation permitted under law. Wis. Stat. s. 343.301(1)(a)2.

- 1. Court may order a **safety plan** to include effect on any victim or victim's family.
- 2. Court may order community service work that demonstrates adverse effects of abuse (and a reasonable fee).
- 3. Court may order a visit to a site that demonstrates adverse effects of abuse (and a reasonable fee).
- 4. Court shall, after a finding that a person does not have the ability to pay a fine imposed under s. 346.65(2)(b) to (g), require the defendant to perform community service work in lieu of paying the fine imposed or if the amount of the fine was reduced in lieu of paying the remaining amount of the fine.
- 5. Court may, after a finding of inability to pay, reduce the costs or fine and order the person to pay the difference toward the cost of the alcohol assessment and driver safety plan.
- 6. Court may order a motor vehicle owned and used by a violator to be used but <u>must order</u> ignition interlock or immobilization if vehicle is not seized unless undue hardship, extreme inconvenience or endangerment of person's health and safety is found.
- 7. Huber law work release privileges shall be denied if defendant does not comply with an alcohol assessment and driver safety plan pursuant to Wis. Stats. 303.08(10m).

BAC Level	.02 to .049		.05 to .079		.08 to .099		.10 t	o .149	.15 to	.169
	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated
Jail	60 days	70 days	60 days	90 days	70 days	120 days	100 days	150 days	120 days	180 days
Fine + costs	1,424.00	1,613.00	1,613.00	1,802.00	1,802.00	2,182.00	1,928.00	2,436.00	2,118.50	2,944.00
Fine	600.00	750.00	750.00	900.00	900.00	1,200.00	1,000.00	1,400.00	1,150.00	1,800.00
DIS	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00
Costs	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00
VWS-A & B	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00
Ign. Int. Surch.	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00
(26% of Fine) PA	156.00	195.00	195.00	234.00	234.00	312.00	260.00	364.00	299.00	468.00
JA	10.00	10.00	10.00	10.00	10.00	12.00	10.00	14.00	11.50	18.00
CL/DL	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00
Revocation	24 mos	27 mos	27 mos	27 mos	27 mos	30 mos	30 mos	30 mos	30 mos	33 mos

BAC Level	.17 1	to .199	.20 t	o .249	.25	plus
	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated
Jail	150 days	210 days	180 days	240 days	220 days	360 days
Fine + costs	2,182.00	3,198.00	2,944.00	4,468.00	3,706.00	5,738.00
Fine	1,200.00	2,000.00	1,800.00	3,000.00	2,400.00	4,000.00
DIS	365.00	365.00	365.00	365.00	365.00	365.00
Costs	163.00	163.00	163.00	163.00	163.00	163.00
VWS-A & B	67.00	67.00	67.00	67.00	67.00	67.00
Ign. Int. Surch.	50.00	50.00	50.00	50.00	50.00	50.00
(26% of Fine) PA	312.00	520.00	468.00	780.00	624.00	1,040.00
JA	12.00	20.00	18.00	30.00	24.00	40.00
CL/DL	13.00	13.00	13.00	13.00	13.00	13.00
Revocation	33 mos	33 mos	33 mos	36 mos	36 mos	36 mos

FINE AMOUNT: \$600 minimum to \$2000 maximum, EXCEPTION: \$1200 minimum and \$4000 maximum if BAC is .25 or above.

JAIL: 60 days - 12 months; 29 days if county opts for reduced jail. (not less than a 48 consecutive hour period in county jail.

REVOCATION/DISQUALIFICATION: 24 - 36 months 45 day waiting period for Occupational License. Effective 09/30/05, revocation applies to all driving privileges -- commercial; disqualification for one (1) year from operation of commercial vehicles.

PROBATION OPTION: 50 days less, but not less than minimum, if successful completion of probation and AODA treatment. 6 mos. - 3 yrs probation.

IGNITION INTERLOCK DEVICE: The Court shall order that the person's operating privileges for "Class D" vehicles be restricted to "Class D" vehicles that are equipped with an ignition interlock device, and shall order that each motor vehicle for which the person's name appears on the vehicle's certificate of title or registration be equipped with an ignition interlock device for a period of not less than one year nor more than maximum period of revocation permitted under law. Wis. Stat. s. 343.301(1)(a)2.

- 1. Court may order the **safety plan** to include effect on any victim or victim's family.
- $2. \ \, \text{Court may order } \textbf{community service work} \text{ that demonstrates adverse effects of abuse (and a reasonable fee)}.$
- 3. Court may order a visit to a site that demonstrates adverse effects of abuse (and a reasonable fee).
- 4. Court shall, after a finding that a person does not have the ability to pay a fine imposed under s. 346.65(2)(b) to (g), require the defendant to perform community service work in lieu of paying the fine imposed or if the amount of the fine was reduced in lieu of paying the remaining amount of the fine.
- 5. Court may, after a finding of inability to pay, reduce the costs or fine and order the person to pay the difference toward the cost of the alcohol assessment and driver safety plan.
- 6. Court may order a motor vehicle owned and used by a violator to be seized but must order ignition interlock or immobilization if vehicle is not seized unless undue hardship, extreme inconvenience or endangerment of person's health and safety is found.
- 7. Huber law work release privileges shall be denied if defendant does not comply with an alcohol assessment and a driver safety plan pursuant to Wis. Stats. 303.08(10)m.

BAC Level	.08 to	o .099	.10 t	o .149	.15 t	o .169	.17 t	o .199	0.2	0.249	.25	plus
	Mitigated	Aggravated										
Jail	5 Days	10 Days	10 Days	23 Days	17 Days	28 Days	22 Days	37 Days	28 Days	50 Days	38 Days	60 Days
Fine + Costs	1,109.00	1,172.00	1,172.00	1,298.00	1,235.00	1,298.00	1,235.00	1,298.00	1,298.00	1,424.00	1,424.00	1,550.00
Fine	350.00	400.00	400.00	500.00	450.00	500.00	450.00	500.00	500.00	600.00	600.00	700.00
DIS	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00
Costs	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00
VWS-A& B	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00
Ign. Int. Surch.	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00
(26% of Fine) PA	91.00	104.00	104.00	130.00	117.00	130.00	117.00	130.00	130.00	156.00	156.00	182.00
JA	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00
CL/DL	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00
Revocation	12 mos	18 mos										

FINE AMOUNT: \$350 minimum to \$1100 maximum

JAIL: Not less than 5 days nor more than 6 months, or not less than 5 days nor more than 7 days if county opts for reduced jail. (not less than a 48 consecutive hour period in county jail)

JAIL PROBATION AND TREATMENT OPTION. 70 days less jail, but not below 5 days if successful completion of probation and AODA treatment. 6 mos. - 2 yrs probation.

REVOCATION/DISQUALIFICATION: 12 - 18 months.

IGNITION INTERLOCK DEVICE: The Court shall order that the person's operating privileges for "Class D" vehicles be restricted to "Class D" vehicles that are equiped with an ignition interlock device and all vehicles owned shall have an ignition interlock installed for a period of not less than one year nor more than maximum period of revocation permitted under law. Wis. Stat. s. 343.301(1)(a)1.

- 1. Court may order the **safety plan** to include effect on any victim or victim's family.
- 2. Court may order community service work that demonstrates adverse effects of abuse (and a reasonable fee).
- 3. Court may order a visit to a site that demonstrates adverse effects of abuse (and a reasonable fee).
- 4. **Court shall**, after a finding that a person does not have the ability to pay a fine imposed under s. 346.65(2)(b) to (g), **require the defendant to perform community service work in lieu of paying the fine imposed** or if the amount of the fine was reduced in lieu of paying the remaining amount of the fine.
- 5. Court may, after a finding of inability to pay, reduce the costs or fine and order the person to pay the difference toward the cost of the alcohol assessment and driver safety plan.
- 6. **Huber law work release privileges** shall be denied if defendant does not comply with an alcohol assessment and a driver safety plan pursuant to Wis. Stats. 303.08(10m), and shall be denied unless within two weeks of the order, the person submits proof to the sheriff that an ignition interlock device has been install in each motor vehicle to which the order applies..

BAC Level	.08 t	o .099	.10 t	.10 to .149 .15 to .169		.17 t	o .199	.20 to	o .249	.25	plus	
	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated
Jail	10 Days	20 Days	20 Days	46 Days	34 Days	56 Days	44 Days	74 Days	56 Days	100 Days	76 Days	120 Days
Fine + Costs	1,550.00	1,676.00	1,676.00	1,928.00	1,802.00	1,928.00	1,802.00	1,928.00	1,928.00	2,182.00	2,182.00	2,436.00
Fine	700.00	800.00	800.00	1,000.00	900.00	1,000.00	900.00	1,000.00	1,000.00	1,200.00	1,200.00	1,400.00
DIS	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00
Costs	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00	163.00
VWS-A& B	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00	67.00
Ign. Int. Surch.	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00
(26% of Fine) PA	182.00	208.00	208.00	260.00	234.00	260.00	234.00	260.00	260.00	312.00	312.00	364.00
JA	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	12.00	12.00	14.00
CL/DL	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00
Revocation	24 mos	36 mos	24 mos	36 mos	24 mos	36 mos	24 mos	36 mos	24 mos	36 mos	24 mos	36 mos

FINE AMOUNT: \$700 minimum to \$2200 maximum

JAIL: Not less than 10 days nor more than 12 months, or not less than 10 days nor more than 14 days if county opts for reduced jail. (not less than a 48 consecutive hour period in county jail)

PROBATION AND TREATMENT OPTION. 45 days less jail, but not below 5 days if successful completion of probation and AODA treatment. 6 mos. - 2 yrs probation.

REVOCATION/DISQUALIFICATION: 24-36 months.

IGNITION INTERLOCK DEVICE:The Court shall order that the person's operating privileges for "Class D" vehicles be restricted to "Class D" vehicles that are equiped with an ignition interlock device and all vehicles owned shall have an ignition interlock installed for a period of not less than one year nor more than maximum period of revocation permitted under law. Wis. Stat. s. 343.301(1)(a)1.

- 1. Court may order the **safety plan** to include effect on any victim or victim's family.
- 2. Court may order community service work that demonstrates adverse effects of abuse (and a reasonable fee).
- 3. Court may order a visit to a site that demonstrates adverse effects of abuse (and a reasonable fee).
- 4. Court shall, after a finding that a person does not have the ability to pay a fine imposed under s. 346.65(2)(b) to (g), require the defendant to perform community service work in lieu of paying the fine imposed or if the amount of the fine was reduced in lieu of paying the remaining amount of the fine.
- 5. Court may, after a finding of inability to pay, reduce the costs or fine and order the person to pay the difference toward the cost of the alcohol assessment and driver safety plan.
- 6. **Huber law work release privileges** shall be denied if defendant does not comply with an alcohol assessment and a driver safety plan pursuant to Wis. Stats. 303.08(10m), and shall be denied unless within two weeks of the order, the person submits proof to the sheriff that an ignition interlock device has been install in each motor vehicle to which the order applies..

BAC Level	.040 1	to .08
	Mitigated	Aggravated
Penalty	699.50	888.50
Forfeiture	150.00	300.00
DIS	365.00	365.00
Costs	25.00	25.00
CSF	68.00	68.00
(26% of Forfeiture) PA	39.00	78.00
JA	10.00	10.00
JISF	21.50	21.50
CL/DL	13.00	13.00
TDEA	8.00	8.00
Suspension	6 mos	7 mos

FORFEITURE: \$150 minimum to \$400 maximum

SUSPENSION: NOT MANDATORY

ALCOHOL ASSESSMENT

- 1. Court may order community service work to reduce the amount of a forfeiture. Court may also order restitution.
- 2. If there is a minor passenger under 16 years of age in the commercial motor vehicle at the time of violation, the minimum and maximum forfeiture is doubled.

BAC Level	.040 to	080. c
	Mitigated	Aggravated
Jail	20 days	40 days
Penalty	861.00	1743.00
Fine	300.00	1,000.00
DIS	365.00	365.00
Costs	20.00	20.00
VWS - A	67.00	67.00
VWS - B	07.00	07.00
(26% of Fine) PA	78.00	260.00
JA	10.00	10.00
CL/DL	13.00	13.00
TDEA	8.00	8.00
Revocation/Suspension	12 mos	14 mos

FINE AMOUNT: \$300 minimum to \$1000 maximum

JAIL: Not less than 5 days or ordered to perform not less than 30 days of community service work nor more than 6 months.

REVOCATION/SUSPENSION: NOT MANDATORY

ALCOHOL ASSESSMENT

- 1. Court may order community service work to reduce the amount of a fine. Court may also order restitution.
- 2. If there is a minor passenger under 16 years of age in the commercial motor vehicle at the time of the violation, the minimum and maximum fine is doubled.

BAC Level	.040 to	080. с
	Minimum Driving	Aggravated Driving
	No Accident	Accident or Injury
		Bad Driving Record
Jail	45 days	120 days
Penalty	1239.00	3013.00
Fine	600.00	2,000.00
DIS	365.00	365.00
Costs	20.00	20.00
VWS-A	67.00	67.00
VWS-B	67.00	67.00
(26% of Fine) PA	156.00	520.00
JA	10.00	20.00
CL/DL	13.00	13.00
TDEA	8.00	8.00
Revocation/Suspension	12 mos	14 mos

FINE AMOUNT: \$600 minimum to \$2000 maximum

JAIL: 30 days - 12 months

REVOCATION/SUSPENSION: NOT MANDATORY

ALCOHOL ASSESSMENT

Court may order community service work to reduce the amount of a fine. Court may also order restitution.
 If there is a minor passenger under 16 years of age in the commercial motor vehicle at the time of the violation, the minimum and maximum fine is doubled.

BAC Level	.08 to .099		.10 to .149		.15 to .169		.17 to .199		.20 to	.249	.25 and	l above
	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated	Mitigated	Aggravated
Penalty	592.00	623.50	592.00	655.00	705.00	768.00	768.00	831.00	768.00	831.00	768.00	831.00
Forfeiture	150.00	175.00	150.00	200.00	200.00	250.00	250.00	300.00	250.00	300.00	250.00	300.00
DIS	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00	365.00
Costs	15.00	15.00	15.00	15.00	15.00	15.00	15.00	15.00	15.00	15.00	15.00	15.00
CSS	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
(26% of Forf.) PA	39.00	45.50	39.00	52.00	52.00	65.00	65.00	78.00	65.00	78.00	65.00	78.00
JA	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00
JISF	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
CL/DL	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00
Ign. Int. Surch.					50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00
Revocation	6 mos	6 mos	6 mos	7 mos	7 mos	8 mos	8 mos	9 mos	9 mos.	9 mos	9 mos.	9 mos

FORFEITURE: \$150 minimum to \$300 maximum

REVOCATION/DISQUALIFICATION: 6-9 months (no waiting period for occupational license).

IGNITION INTERLOCK: Interlock for first offenses with alcohol concentration of .15 or more and refusals. License restricted to interlocked vehicles, plus all registered and titled vehicles (unless excepted) for period of one year to 18 months beginning when license issued. \$50.00 interlock surcharge (NOTE: Municipal judge needs to decide if mandatory interlock provision applies in municipal case)

- 1. Court may order the **safety plan** to include effect on any victim or victim's family.
- 2. Court may order community service work that demonstrates adverse effects of abuse (and a reasonable fee).
- 3. Court may order a visit to a site that demonstrates adverse effects of abuse (and a reasonable fee).
- 4. **Court may,** after a finding of inability to pay, reduce the costs or forfeiture and order the person to pay the difference toward the cost of the alcohol assessment and driver safety plan.

BAC Level	.040 to	o .080. o
	Minimum Driving	Aggravated Driving
	No Accident	Accident or Injury
		Bad Driving Record
Penalty	592.00	781.00
	450.00	200.00
Forfeiture	150.00	300.00
DIS	365.00	365.00
*Costs	15.00	15.00
(26% of Forfeiture) PA	39.00	78.00
JA	10.00	10.00
CL/DL	13.00	13.00
Suspension	6 mos	7 mos

FORFEITURE: \$150 minimum to \$300 maximum

* Costs are calculated at the minimum of \$15 but may be assessed to a maximum of \$23 pursuant to Wis. Stats. 814.65(1)

SUSPENSION: NOT MANDATORY ALCOHOL ASSESSMENT

- 1. Court may order community service work to reduce the amount of a forfeiture. Court may also order restitution.
- 2. If there is a minor passenger under 16 years of age in the commercial motor vehicle at the time of violation, the minimum and maximum forfeiture is doubled.

Effective August 1, 2004, municipal courts will hold hearings relating to a person's refusal to provide a breath, blood or urine sample, under the implied consent law (s.343.305). This applies to refusals committed on or after August 1, 2004, but does not preclude the counting of previous suspensions, revocations, or convictions for purposes of determining the period that a person's operating privilege is revoked.